



**CITY OF SUNNYVALE  
REPORT  
Administrative Hearing**

**April 28, 2004**

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**SUBJECT:** **2004-0217 - Howard Krawetz [Applicant] Lockheed Missles & Space Co., Inc. [Owner]** - Application on a 7.5 acre project site located at **1111 Lockheed Way** (between 9<sup>th</sup> and 11<sup>th</sup> Avenues) in an M-3 (General Industrial) Zoning District (APN: 110-01-025);

Motion                      Use Permit to allow a monthly flea market.

**REPORT IN BRIEF**

**Existing Site**                      Industrial Parking Lot

**Conditions**

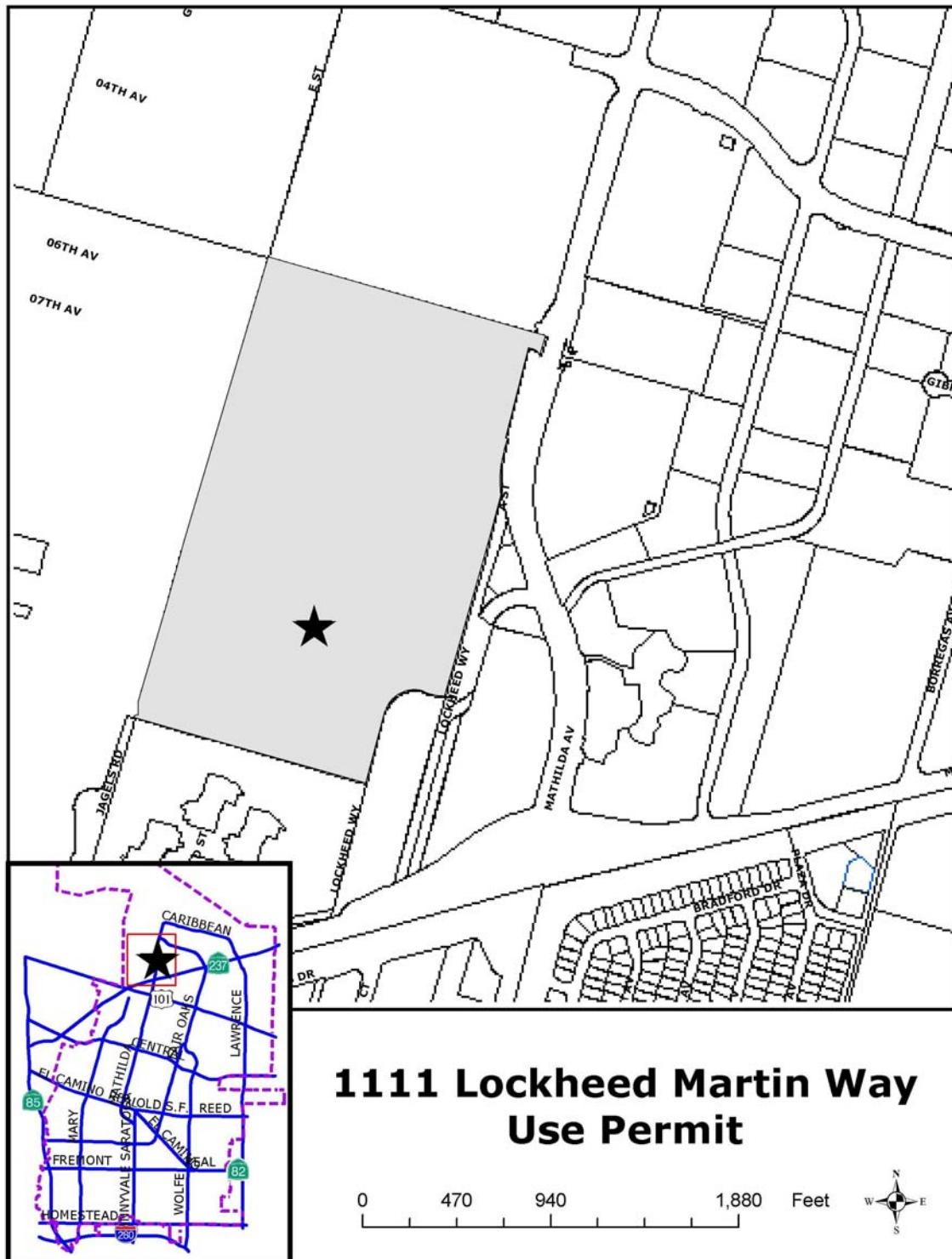
**Surrounding Land Uses**

North	Industrial
South	Industrial
East	Industrial
West	Industrial Parking Lot

**Issues**                              Use of Site

**Environmental Status**                      A Class 1 Categorical Exemption relieves this project from California Environmental Quality Act provisions and City Guidelines.

**Staff Recommendation**                      Approve with Conditions



**PROJECT DATA TABLE**

	<b><u>EXISTING</u></b>	<b><u>PROPOSED</u></b>	<b><u>REQUIRED/ PERMITTED</u></b>
<b>General Plan</b>	IND	Same	Same
<b>Zoning District</b>	M3	Same	Same
<b>Parcel Lot Size (acres)</b>	76.9 acres	Same	22,500 s.f. min.
<b>Subject Site Area (acres)</b>	7.5 acres	Same	N/A
<b>Use</b>	Industrial Parking Lot	Industrial Parking Lot used for monthly flea market	By Use Permit
<b>No. of Buildings On-Site</b>	0	Same	Same
<b>Landscaping (sq. ft.)</b>			
• <b>Total Landscaping (s.f./%)</b>	40,800 s.f. 12.5%	Same	65,340 s.f. min. 20%
• <b>Frontage Width (ft.)</b>	40 ft.	Same	15 ft. min.
<b>Parking</b>			
• <b>Total No. of Spaces</b>	830 (400 in east lot + 430 in west lot)	750 (400 in east lot + 215 in west lot)	(see parking discussion)
• <b>No. of Standards</b>	810	730	(see parking discussion)
• <b>No. of Accessible</b>	20	Same	17

**ANALYSIS****Background**

**Previous Actions on the Site:** In 2002, the site received a Special Development permit to allow a office campus which was subdivided from the larger Lockheed industrial campus. The approved 79.9 acre office campus has not been built yet and currently the site remains in use as existing industrial buildings for office use and associated parking.

The site was formerly located within the Lockheed Martin campus and has historically hosted special outdoor events such as one-day car sales

throughout the year. These events are often held on the weekends which do not create conflict with the weekday office uses and parking.

### **Description of Proposed Project**

The applicant proposes to establish an outdoor flea market on the second Saturday of each month from March through October annually at an industrial parking lot. No architectural or site improvements are associated with this application. Typically this type of use occurs as a one time special event, requiring an Unenclosed Temporary Use Permit (UET) however this application requests the use occur throughout the year therefore requiring a Use Permit.

### **Environmental Review**

A Class 1 Categorical Exemption relieves this project from California Environmental Quality Act provisions. Class 1 Categorical Exemptions includes leasing of existing facilities.

### **Use Permit**

**Use:** The applicant proposes to establish an outdoor flea market use related to sales of electronic items. The flea market consists of sellers setting up individual booths to sell merchandise to the public. The booths would be set up adjacent to the seller's automobiles. The use would occur monthly on the second Saturday of each month from March to October.

The proposed flea market use would be located at two existing industrial parking lots. The industrial parking lots are used during the week for over flow industrial office parking. The parking lots are not used on weekends by businesses. (See Attachment 3, Site Plan)

#### *Buyer's Lot*

The parking lot located to the east, would provide approximately 400 parking spaces including 10 accessible parking spaces to accommodate flea market buyer's vehicles.

#### *Seller's Lot*

The lot located to the west would accommodate flea market seller's vehicles and seller's sales tables. Seller's would park their vehicle in one parking space and use the adjacent space to set up a sellers table.

Typical use features on-site would also include:

1. Portable Toilets
2. Food Concessions Booth (sales of prepackaged and pre-cooked foods)

3. Solid Waste and Recycling Dumpsters
4. Power by private generators.

The hours of operation for the flea market would be 4:00 a.m. to 2:00 p.m. Set up for the flea market would begin at 4:00 a.m. The event expects to attract up a maximum of 1,400 people spread out throughout the day.

**Site Layout:** The site is bounded by 9<sup>th</sup> Avenue, D Street, 11<sup>th</sup> Avenue and Lockheed Martin Way. Both parking lots are accessed off of C Street.

**Landscaping:** Both parking lots have well-established existing 40 foot landscaping strips located along 11<sup>th</sup> Avenue. The parking lot is also landscaped with sporadic parking lot trees and landscaping strips. The site is 12.5% landscaped where 20% is required, therefore not meeting the landscape area requirements. Staff recommends that the proposed use not be required to add additional landscaping as the proposed site is only one small portion of an overall industrial campus and because the proposed use does not include the addition of any buildings or site improvements.

**Parking/Circulation:** The Sunnyvale Municipal Code does not specify a parking ratio for the proposed outdoor flea market use. Staff applied the parking ratio for shopping centers less than 50,000 square feet (1/200). The estimated flea market area is 38,700 square feet requiring a total of 193 parking spaces. The site provides approximately 215 spaces in the west lot and 400 spaces in the east lot to accommodate the use which anticipates a maximum of 1,400 users spread throughout the day. Staff finds that the proposed parking will meet the demand generated by the flea market use.

The applicant proposes to maintain the 20-foot driveway aisles throughout the parking lot to allow for pedestrian circulation between the sales booths. An existing sidewalk is located around the perimeter of the site providing pedestrian access.

### **Compliance with Development Standards**

The proposed project complies with current development standards with the exception of meeting the 20% landscaping area requirement. Staff recommends that the proposed use not be required to add additional landscaping as the proposed site is only one small portion of an overall industrial campus and because the proposed use does not include the addition of any buildings or site improvements.

**Expected Impact on the Surroundings**

There are no significant traffic, parking or noise impacts expected with this project as the site is located within an industrial park and would operate once a month on a Saturday when the majority of surrounding businesses in the area are closed.

**Findings, General Plan Goals and Conditions of Approval**

Staff was able to make the required Findings based on the justifications for the Use Permit.

- Findings and General Plan Goals are located in Attachment 1.
- Conditions of Approval are located in Attachment 2.

**Fiscal Impact**

No fiscal impacts other than normal fees and taxes are expected.

**Public Contact**

<b>Notice of Public Hearing</b>	<b>Staff Report</b>	<b>Agenda</b>
<ul style="list-style-type: none"><li>• Published in the <i>Sun</i> newspaper</li><li>• Posted on the site</li><li>• Mailed to the adjacent property owners of the project site</li></ul>	<ul style="list-style-type: none"><li>• Posted on the City of Sunnyvale's Website</li><li>• Provided at the Reference Section of the City of Sunnyvale's Public Library</li></ul>	<ul style="list-style-type: none"><li>• Posted on the City's official notice bulletin board</li><li>• City of Sunnyvale's Website</li><li>• Recorded for SunDial</li></ul>

## **Alternatives**

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1. Approve the Use Permit with attached conditions.
2. Approve the Use Permit with modified conditions.
3. Deny the Use Permit.

## **Recommendation**

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Alternative 1.

Prepared by:

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Erin Megan Walters  
Project Planner

Reviewed by:

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Diana O'Dell  
Senior Planner

Attachments:

1. Recommended Findings
2. Recommended Conditions of Approval
3. Site Plan

## **Recommended Findings - Use Permit**

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1. The proposed use attains the objectives and purposes of the General Plan of the City of Sunnyvale.

### **Land Use and Transportation Element**

***Policy C4.1      Maintain a diversity of commercial enterprises and industrial uses to sustain and bolster the local economy.***

The proposed use creates a commercial enterprise within an industrial area therefore bolstering the local economy.

2. The proposed use is desirable, and will not be materially detrimental to the public welfare or injurious to the property, improvements or uses within the immediate vicinity and within the Zoning District.

***Policy N1.13 Promote an attractive and functional commercial environment.***

The use will be a monthly outdoor flea market sales of electronic items with high levels of general upkeep and maintenance for the site. The existing parking and landscaping support the proposed use.

The use is temporary in nature but provides a desired and needed diversity of economic activity for the city.



### **Recommended Conditions of Approval - Use Permit**

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In addition to complying with all applicable City, County, State and Federal Statutes, Codes, Ordinances, Resolutions and Regulations, Permittee expressly accepts and agrees to comply with the following conditions of approval of this Permit:

Unless otherwise noted, all conditions shall be subject to the review of approval of the Director of Community Development.

1. This Use Permit shall expire within two years from the date of approval if not exercised.
2. The use of the site for outdoor flea market sales may occur on one Saturday of each month throughout the year.
3. Individual sign approvals are not part of this permit, a sign permit shall be applied for and approved prior to initial exercising of this permit or display of signs. Temporary ground signs may be permitted upon review by staff for high quality aesthetic appearance and appropriate materials.
4. Obtain permits and site inspection approval of all electrical equipment, including generators and tents by Building Division and Fire Prevention Division prior to commencement of use.
5. All extension cords shall be secured to prevent a tripping hazard.
6. Maintain a clear area 15 feet on either side of each fire hydrant.
7. Temporary restroom facilities shall be provided in accordance with County Health Department guidelines and standards.
8. Food concessions shall be provided in accordance with County Health Department guidelines and standards.
9. Solid waste and recycling on-site shall be coordinated directly with Specialty prior to commencement of use.
10. General upkeep shall occur through out the year and irrigation provided to landscaped areas.
11. Protect existing landscaping. Set tables, booths and/or tents in a manner that will direct foot traffic away from plant material. No signs shall be allowed on trees or other landscape material.
12. The site shall be cleared of debris and refuse at the end of each flea market event.

